

# **RESOLUTION AGREEMENT**

Regarding the Appeal of  
Final EIS and ROD for the Reissuance of  
Term Grazing Permits on Eight Cattle Allotments  
Beaver Mountain Tushar Range, Beaver Ranger District  
Fishlake National Forest

April 18, 2007

Note: As used below, “collaboration” involves the Forest Service, Appellant representatives, Permittees, Scientists, and other interested parties (such as the Farm Bureau), implementing the principles for federal agency participation in collaboration prepared by the White House Office of Management and Budget and Council on Environmental Quality<sup>1</sup> (Attachment A).

The U.S. Institute of Environmental Conflict Resolution (USIECR) will be asked to assist or advise in ensuring that the principles for collaboration are understood and implemented. There will be no involuntary commitment of funds for the USIECR. All proceedings will be open to the public, and data relied upon will be available to the public.

## **BEAVER RANGER DISTRICT COMMITMENTS**

1. The Beaver Ranger District and Appellants agree to work with economists to develop guidelines for quantitative economics analysis of livestock grazing in Environmental Impact Statements (EISs) for grazing authorizations.
2. The Beaver Ranger District and Appellants commit to undertaking a collaborative, multi-stakeholder process to develop existing and desired conditions and management practices to be used in developing management plans for two of the eight Tushar Range allotments:
  - a. Ten Mile Allotment including aspen and mountain mahogany recruitment. It is understood that certain actions taken within or beyond the AMP may require NEPA analysis and no commitment for EA's or EIS's are implied.
  - b. Either Pine Creek/Sulphurdale or South Beaver Allotment, including aspen and mountain mahogany recruitment and provision of suitable habitat conditions for beaver on at least one creek.

WITHIN ONE YEAR

## **ECONOMICS**

1. The Beaver Ranger District and Appellants<sup>2</sup> will work with Forest Service Region 4 Economist to develop a set of guidelines to be used for quantitative economic analyses of livestock grazing in EISs for grazing authorizations in the next three years.<sup>3</sup>

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<sup>1</sup> Office of Management and Budget and President's Council on Environmental Quality. Memorandum on Environmental Conflict Resolution. (<http://www.whitehouse.gov/ceq/joint-statement.html>)

<sup>2</sup> Lead contact for Appellants will be Mary O'Brien, Southern Utah Forest Project Manager, Grand Canyon Trust.

2. Drafts of the guidelines will be peer-reviewed by a diversity of professional economists.

## WITHIN TWO YEARS

### 1. TWO ALLOTMENTS

- a. Collaboratively develop existing and desired conditions and management practices to be used in developing management plans for two allotments:
  - i. Ten Mile Allotment, including mountain mahogany and aspen recruitment, see below.
  - ii. A second allotment (either Pine Creek/Sulphurdale or South Beaver) including,
    1. aspen and mountain mahogany recruitment
    2. a plan for re-establishment of suitable habitat for beaver on at least one stream recommended for beaver re-establishment in the Forest's Level II riparian inventories.

### 2. ASPEN and MOUNTAIN MAHOGANY

- a. Collaboratively document where recruitment is failing in aspen clones and mountain mahogany stands within the two allotments.
- b. Collaboratively develop a plan to restore recruitment as part of NFMA analysis and which could lead to NEPA analysis for future projects.

### 3. BEAVER

- a. Collaboratively plan for the needs of functioning beaver colonies on at least one creek/stream for which beaver restoration has been recommended in Fishlake NF's Level II Riparian Assessments within Pine Creek/Sulphurdale or South Beaver Allotment
  - b. The Beaver Ranger District will consult with its resource specialists, Division of Wildlife Resources, water rights stakeholders and Appellant Grand Canyon Trust (as lead Appellant) to select the creek/stream(s) within Pine Creek/Sulphurdale or South Beaver allotments.
  - c. Collaboratively develop a plan for providing suitable habitat conditions for beaver on at least one of the creeks as part of NFMA analysis and which could lead to NEPA analysis for future projects.
4. It is assumed by all parties that the efforts to improve natural resource conditions and reduce resource damage on these two allotments would be shared for similar or related problems in other Fishlake National Forest livestock allotments.
  5. In exchange for the above commitments made by the Forest Service, appellants agree to withdraw their administrative appeal of this decision.

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<sup>3</sup> Livestock grazing EISs are not required to develop economic analyses. The guidelines will be used if alternatives in a grazing authorization EIS are compared in terms of socio/economic consequences.

## AGREED BY:

Terry A. Krasko  
District Ranger

Mary O'Brien,  
for Grand Canyon Trust, Date

Veronica Egan  
Great Old Broads For Wilderness

Terry Shepherd  
Red Rock Forests

Wayne Hoskisson  
Sierra Club, Utah Chapter

Kevin Mueller  
Utah Environmental Congress

John Carter  
Western Watersheds Project

Allison Jones  
Wild Utah Project

## **Attachment A.**

### **Basic Principles for Agency Engagement in Environmental Conflict Resolution and Collaborative Problem Solving**

#### ***Informed Commitment***

Confirm willingness and availability of appropriate agency leadership and staff at all levels to commit to principles of engagement; ensure commitment to participate in good faith with open mindset to new perspectives

#### ***Balanced, Voluntary Representation***

Ensure balanced, voluntary inclusion of affected/concerned interests; all parties should be willing and able to participate and select their own representatives

#### ***Group Autonomy***

Engage with all participants in developing and governing process; including choice of consensus-based decision rules; seek assistance as needed from impartial facilitator/mediator selected by and accountable to all parties

#### ***Informed Process***

Seek agreement on how to share, test and apply relevant information (scientific, cultural, technical, etc.) among participants; ensure relevant information is accessible and understandable by all participants

#### ***Accountability***

Participate in process directly, fully, and in good faith; be accountable to the process, all participants and the public

#### ***Openness***

Ensure all participants and public are fully informed in a timely manner of the purpose and objectives of process; communicate agency authorities, requirements and constraints; uphold confidentiality rules and agreements as required for particular proceedings

#### ***Timeliness***

Ensure timely decisions and outcomes

#### ***Implementation***

Ensure decisions are implementable; parties should commit to identify roles and responsibilities necessary to implement agreement; parties should agree in advance on the consequences of a party being unable to provide necessary resources or implement agreement; ensure parties will take steps to implement and obtain resources necessary to agreement